



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
JULY 2, 2019
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE / INVOCATION

Invocation by Reverend James Tippins of Baptist Medical Center.

4. PRESENTATIONS

4.1 **PRESENTATION - NASSAU HUMANE SOCIETY** - *Representatives of the Nassau Humane Society will present the "City Commission Dog of the Month."*

4.2 **PRESENTATION - IMS INFRASTRUCTURE MANAGEMENT SERVICES** - *Dave Bratton of IMS Infrastructure Management Services will provide a presentation regarding the Pavement Management Analysis.*

5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA

6. CONSENT AGENDA

6.1 **FACILITIES USE AGREEMENT - DRIVING DYNAMICS, INC. - RESOLUTION 2019-105** APPROVING A FACILITIES USE AGREEMENT WITH DRIVING DYNAMICS, INC. FOR THE USE OF AIRPORT PROPERTY TO CONDUCT DEFENSIVE DRIVER SAFETY TRAINING; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a Facilities Use Agreement with Driving Dynamics, Inc. for defensive driver training at the Fernandina Beach Municipal Airport on dates approved by the Airport Director for a period of one year.*

7. RESOLUTIONS

7.1 **DEED OF DEDICATION - SHELL COVE - RESOLUTION 2019-68** ACCEPTING A DEED OF DEDICATION FROM ROBINSON CREEK 34, LLC FOR SHELL COVE SUBDIVISION ROADS; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Accepts a deed of dedication for the roads in the Shell Cove subdivision.*

- 7.2 **WORK ORDER 19-88 - PASSERO ASSOCIATES, LLC - RESOLUTION 2019-106** APPROVING WORK ORDER 19-88 WITH PASSERO ASSOCIATES, LLC TO PROVIDE DESIGN AND BID SERVICES AT THE FERNANDINA BEACH MUNICIPAL AIRPORT FOR IMPROVEMENTS OF THE AIRPORT'S FUEL FARM; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Work Order 19-88 with Passero Associates, LLC, in the not-to-exceed amount of \$40,000, to provide design and bid assistance associated with above ground fuel farm improvements at the Fernandina Beach Municipal Airport.*
- 7.3 **CHANGE ORDER APPROVAL - BRANCE DIVERSIFIED, INC. - RESOLUTION 2019-107** APPROVING CHANGE ORDER # 2 WITH BRANCE DIVERSIFIED, INC. IN THE AMOUNT OF \$168,388.80 FOR THE RECONFIGURATION OF THE DINGHY DOCKS TO INCLUDE ONE NEW DOCK AT THE FERNANDINA BEACH HARBOR MARINA; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Change Order #2 with Brance Diversified, Inc. in the amount of \$168,388.80 with no increase to the total project cost.*
- 7.4 **PROPOSAL APPROVAL - ASPHALT PAVING SYSTEMS, INC. - RESOLUTION 2019-108** APPROVING A PROPOSAL FROM ASPHALT PAVING SYSTEMS, INC. IN AN AMOUNT NOT TO EXCEED \$348,513.50 FOR THE MICRO-SURFACING AND CAPE SEALING OF CITY ASPHALT RIGHTS-OF-WAY BY WAY OF A PIGGYBACK PURCHASE TO THE LEE COUNTY, FLORIDA, CONTRACT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the proposal from Asphalt Paving Systems, Inc. to perform micro-surfacing and cape sealing on City asphalt rights-of-way in an amount not to exceed \$348,513.50 as a piggyback agreement with the Lee County, Florida, Contract.*
- 7.5 **AGREEMENT APPROVAL – SWAGIT PRODUCTIONS, LLC – RESOLUTION 2019-109** APPROVING THE SECOND AMENDMENT TO THE AGREEMENT WITH SWAGIT PRODUCTIONS, LLC FOR VIDEO STREAMING SERVICES; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the Swagit Productions, LLC Second Amendment to the Agreement for Video Streaming Services.*
- 7.6 **CODE ENFORCEMENT FINE REDUCTION AND RELEASE OF LIEN - MARK O'BRIEN - RESOLUTION 2019-110** APPROVING A SETTLEMENT OF CODE ENFORCEMENT FINES AND FEES FOR MARK O'BRIEN CONTINGENT UPON FULL PAYMENT OF \$20,000 NO LATER THAN AUGUST 1, 2019, FOR CODE ENFORCEMENT VIOLATIONS AT 400 SOUTH 8TH STREET AND 421 SOUTH 9TH STREET; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes full releases/satisfactions of liens be executed based upon the Code Enforcement and Appeals Board's order that fines and fees be reduced to a total of \$20,000 for violations now in compliance at 400 South 8th Street and 421 South 9th Street in the name of Mark R. O'Brien, specifically conditioned upon Mr. O'Brien paying the entire \$20,000 to the City on or before August 1, 2019.*
- 7.7 **CONTINUE DISCUSSIONS - AMELIA RIVER WATERFRONT DEVELOPMENT - RESOLUTION 2019-111** TO CONTINUE DISCUSSIONS REGARDING AMELIA RIVER WATERFRONT DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Accepts the proposal offered by one firm to provide recommendations to the City Commission related to the resiliency of the City's Amelia River Waterfront.*

8. ORDINANCES - FIRST READING

8.1 **CHARTER AMENDMENT - CONSERVATION REFERENDUM - ORDINANCE 2019-15** SUBMITTING TO THE CITY ELECTORS PROPOSED AMENDMENTS TO THE CHARTER WHICH AMEND SECTION 10A TO ADD PROVISIONS TO THE CITY CHARTER REQUIRING REFERENDUM ELECTION FOR SALE OR LEASE OF CITY-OWNED CONSERVATION LAND; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Section 10A of the City Charter to add a provision that requires a referendum for sale or lease of City-owned conservation land.*

8.2 **LAND DEVELOPMENT CODE AMENDMENT - AIRPORT DESIGN STANDARDS - ORDINANCE 2019-16** AMENDING THE LAND DEVELOPMENT CODE (LDC) TO INCORPORATE AMENDED AIRPORT DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to Airport Design Standards.*

9. ORDINANCE - SECOND READING

9.1 **FY 2018/2019 AMENDED PAY AND CLASSIFICATION PLAN - ORDINANCE 2019-14** ESTABLISHING AN AMENDED CLASSIFICATION PLAN FOR FISCAL YEAR 2018/2019, PURSUANT TO SECTION 120 OF THE CITY CHARTER AND SECTION 62-247 OF THE CODE OF ORDINANCES OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Pay and Classification Plan for FY 2018/2019.*

10. ORDINANCE - THIRD READING

10.1 **CODE AMENDMENT - HUMAN RELATIONS - ORDINANCE 2019-10** AMENDING CHAPTER 54, HUMAN RELATIONS, CREATING SECTION 54-1 DEFINITIONS; CREATING SECTION 54-36 PURPOSE; CREATING SECTION 54-37 PROHIBITED CONDUCT; CREATING SECTION 54-38 COMPLAINTS; CREATING SECTION 54-39 EXEMPTIONS; CREATING SECTION 54-40 CRIMINAL ACTS; CREATING SECTION 54-41 FALSE CLAIMS; AMENDING SECTION 54-52 DECLARATION OF POLICY, OBJECTIVES; AMENDING SECTION 54-54 PROHIBITED CONDUCT; AMENDING SECTION 54-55 MULTIPLE LISTING SERVICES; AMENDING SECTION 54-56 EDUCATIONAL ACTIVITIES; AMENDING SECTION 54-57 BROKERAGE SERVICES; AMENDING SECTION 54-58 USE OF REMEDIES OF THIS CHAPTER, OTHER REMEDIES; AMENDING SECTION 54-59 DISCRIMINATION IN THE FINANCING OF HOUSING; AMENDING SECTION 54-60 EXEMPTIONS; AMENDING SECTION 54-61 INTERFERENCE, COERCION, OR INTIMIDATION; ENFORCEMENT BY CIVIL ACTION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 54 of the City Code pertaining to Human Relations.*

11. BOARD APPOINTMENT

11.1 **PLANNING ADVISORY BOARD - one appointment.**

12. CITY COMMISSION DISCUSSION

12.1 **WATERFRONT PARK DEVELOPMENT -** *This item is placed on the agenda at the request of Commissioner Lednovich.*

12.2 **LAND CONSERVATION -** *This item is placed on the agenda at the request of Commissioner Lednovich.*

12.3 **JOINT LOCAL PLANNING AGENCY MEETING FOLLOW-UP -** *This item is placed on the agenda at the request of Vice Mayor Kreger.*

12.4 **BALLOON RELEASE ORDINANCE** - *This item is placed on the agenda at the request of Mayor Miller.*

12.5 **PLASTIC STRAW BAN ORDINANCE** - *This item is placed on the agenda at the request of Mayor Miller.*

13. CITY MANAGER REPORTS

14. CITY ATTORNEY REPORTS

15. CITY CLERK REPORTS

16. MAYOR/COMMISSIONER COMMENTS

17. ADJOURNMENT

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- A THREE (3) MINUTE TIME LIMIT MAY BE IMPOSED FOR ALL SPEAKERS (EXCEPT IN A QUASI-JUDICIAL HEARING). A "REQUEST TO SPEAK" FORM IS AVAILABLE ON THE COUNTER AT THE ENTRANCE TO THE COMMISSION CHAMBERS. THE FORM SHOULD BE GIVEN TO THE CITY CLERK UPON COMPLETION.
 - THE MAYOR WILL DETERMINE THE ORDER OF THE SPEAKERS AND MAY IMPOSE MORE RESTRICTIVE TIME LIMITS.
 - ONE PERSON WILL SPEAK AT A TIME AND ADDRESS COMMENTS TO THE MAYOR, NOT INDIVIDUAL CITY COMMISSION MEMBERS.
 - THE CITY COMMISSION MAY ASK QUESTIONS OF SPEAKERS WHO WILL HAVE ONE MINUTE TO RESPOND. ADDITIONAL TIME MAY BE GRANTED AT THE DISCRETION OF THE MAYOR OR BY A MOTION BY THE CITY COMMISSION.
 - SPEAKERS MAY FILE COPIES OF THEIR REMARKS WITH THE CITY CLERK WHO WILL MAKE THEM AVAILABLE TO THE COMMISSION.
 - FERNANDINA BEACH CITIZENS WILL SPEAK BEFORE NONRESIDENTS AND SPEAKERS WILL LIMIT REMARKS TO THE SPECIFIC SUBJECT MATTER.
 - DISCUSSION – DIRECTION - ACTIONS ITEMS MAY BE ACTED UPON BY THE CITY COMMISSION BY EITHER A MOTION AND VOTE IN ACCORDANCE WITH ROBERTS RULES OF ORDER, OR BY A CONSENSUS OF THE CITY COMMISSION.
 - PURSUANT TO RESOLUTION 95-32, IF AN ITEM IS NOT ON THE AGENDA IT REQUIRES A FOUR-FIFTHS VOTE OF THE CITY COMMISSION DECLARING THE ITEM AN EMERGENCY BEFORE ACTION CAN BE TAKEN.
 - *QUASI-JUDICIAL* - DENOTES THAT THE ITEM MUST BE CONDUCTED AS A QUASI-JUDICIAL HEARING IN ACCORDANCE WITH CITY COMMISSION ESTABLISHED PROCEDURE AND FLORIDA STATUTES. ANY PERSON WISHING TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.
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Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).